Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

JOURNALS OF THE COUNCIL OF VIRGINIA IN EXECUTIVE SESSIONS, 1737-1767.

(From the Originals in the Virginia State Archives.)

(CONTINUED.)

[Between May 6, 1743, and March 4th, 1760, no journals or even rough minutes of the Virginia Council in Exe-
or even rought minutes of the Virginia Council in Exe-
cutive Sessions exist in the State Archives. Those of dates later than March 4, 1760, which remain, are all printed in this instalment. As will be seen these remaining minutes are very incomplete, with numerous dates missing, and appear to be, in the main, only rough draughts.

The period 1743-1760 was an important one in the history of Virginia and it is to be regretted that the Council records for the time have been destroyed. Fortunately this loss can be repaired from the English Public Record Office.]

At a Council held March 4th 1760.

PRESENT:

His Excell'cy Gen'l Amherst's[1] Com'on app'g him Gov'r in Chief dated 25th Septem'r in ye 33d y'r in ye Reign was produced & read.

Tuesday the 8th of April app'd a Day of public Thanksgiving[2] for the signal success of his Maj's Arms &c Or'd y't a Proclaim. issue for ye Purpose.

[1]Jeffrey Amherst (1717-1797), a soldier from boyhood, sent to America in 1758 as major general, appointed governor general of the English colonies in 1760, and in 1763 governor of Virginia. He never actually held the latter office. He was created Lord Amherst in 1776.

[2]This thanksgiving must have been for the triumphs of England in the "*Annus Mirabilis*," 1759—including Minden, Quebec, Quiberon, Bay, etc.

Gov'r com'd a L'r from Lord Colville[3] signifying he had writ an Order for Cap't Faulkner of the Mercury [man-of-War] now at Boston to repair to Virg'a to take under Convoy all the homeward bound Trade—dated the 9th of Decem'r w'ch was order'd to be advertized.

Or'd That a Proclaim. issue for apprehending Thomas Baker offering £20 Reward for taking him.

Gov'r com'd a L'r from Col Byrd[4] dated New York Feb'y 21st recom'g ye Continuance of the Virg'a Reg't till Xmas next.

Also a L'r from Gen'l Amherst dated New York Feb'y 21st inclosing a L'r from Mr. Secretary Pitt dated Jan'y 7th & enforcing the same.

May 24th 1760.

Gov'r desired ye Opinion of the Council in regard to granting Commissions for ye Expedition for ye Relief of Fort Loudoun[5] in ye Cherokee, whether those Gentlemen who had ap-

---

[3]Alexander, 8th Baron Colville of Culross, a distinguished naval officer, who became vice admiral of the white in 1770, and died in that year. He was at this time in command of the Halifax station. In May, 1760, the fleet under his command relieved Quebec then beseiged by the French.

[4]William Byrd, 3rd, of Westover, Pa., colonel of the 2nd Virginia regiment in the French and Indian War. General Forbes writing to Pitt, July 10, 1758, states that the retention of any Cherokees in the English service "is owing in a great degree to Mr. Byrd, of Virginia, to whom I should do a great injustice if I was silent upon the occasion. As he has a very large and opulent fortune in Virginia, he joined the Earl of London early after his arrival in America. He accompany'd the Army to Halifax last year and sett a noble example to all the gentlemen of the Continent who had either Inclination or ability to serve the King and their country."—*Correspondence of William Pitt* (N. Y., 1906), I, 295.

[5]Fort Loudon on the Tennessee river, built by Virginia in 1756, and at the time garrisoned by 200 English troops under Captains Demere and Stuart. It was now beseiged by the Cherokees. A force of regulars and South Carolina troops under Col. Montgomery, in 1760, destroyed a number of Cherokee towns and defeated the Indians at

plied to him & had served before sh'd have the preference in y't Consideration, or those sh'd be prefer'd who c'd raise the most men.

Upon w'ch it was the Opinion of the Council, that it w'd be more for ye Service to give Com'ons to those who raised ye greatest Number of men, those who had served taking Rank above those who had not.

His Honor also produced to ye Board a L'r to Gov'r Bull informing him w't ye Ass'y had done, & w't he proposed in Consequence thereof.

Also a Copy of his Instructions to ye County L'ts of [Blank]

Both w'ch were approved of.

Octo'r 6th 1760.

Gov'r com'd a L'r from Gen'l Amherst dated Camp of Montreal Sep'r 9th signifying the surrender of Montreal, with the Articles of Capitulation by w'ch the french Troops are all to lay down their Arms, are not to serve during the Continuance of the present War, & are to be sent back to old France, as are also the Governors & principal Officers of the Legislature of the whole Country, w'ch he informs, is intirely yielded to the Dom. of his Maj'y.

Gov'r com'd a L'r from Col. Byrd[6] dated Camp at Sayers

Crow's Creek on the Little Tennessee, but in June retreated without relieving Fort Loudon.

Col. Byrd with 600 men from Virginia attempted its relief. He advanced as far as the Long Island of Holston where he spent the winter of 1760, and though he was there joined by a party of North Carolinians, nothing further was done to save Fort Loudon, which surrendered on August 8, 1760. Most of the garrison was massacred by the Indians. Byrd's failure to save the fort caused great dissatisfaction and he resigned. He was succeeded by Col. Adam Stephen.

[6]After the capture of Fort Loudon, Attahullahulla, "king or emperor of the Cherokees" generally called by the whites, Little Carpenter, saved Captain Stuart from massacre. Haywood's *History of Tennessee*, states that by a stratagem the Little Carpenter after the surrender got Captain Stuart and two soldiers away from the presence of the other Indians and hastened towards the English settlements,

Septem'r 19th sig'g that Major Lewis return'd the Sunday before, and brought in the Little Carpenter & 3 more Indians, Cap't Stuart & 3 more Prisoners, besides 2 squaws, that he is convinced by the Conferences he has had w'th the Carpenter that he is well inclin'd informing of the designs, which he learnt from him the Enemy had ag't Fort Prince George. Also that the Cherokees are in general desirous of peace, in consequence of w'ch he has sent a letter (of w'ch a Copy was inclos'd) to the Warriors by one of ye Indians and the Carpenter has sent to summon all the Chiefs to meet him at Chotte at the new moon of Octo'r that by him, who goes in a few days he shall send them his terms of peace, a Copy whereof was inclosed, that the Carpenter is to be back at all events by the full moon of Octo'r and promises, if they accept the offers of peace to bring in the heads of each town, all our prisoners, & the Offenders; if not, to bring in his own friends & as many of our people as he can—desiring to know his Honor's pleasure on w't he has done, & purposes further to do herein—if he is to proceed in his scheme requests that Indian Goods mentioned in an Invoice may be sent forthwith. Also a letter from him of the 24th desiring to know if the Reg't is to be compleated, & how the Detachm't is to be disposed of this winter, & recom'g Mr. Christian to have the Cloathing of ye Reg't. The Consideration of w'ch Letters was postponed to a fuller Council.

Octo'r 10th 1760.

Gov'r com'd two Letters from Gov'r Bull dated July 26th & Septem'r 21st signifying the Answer he rec'd from Col. Montgomery to his L'r, desiring him to continue for ye p'tection of So. Carolina &c.

Advice of the Council that his Honor w'd send down ye s'd l's to H. B. [House of Burgesses.]

---

and that after a week or more fell in with a party of 300 men sent out by Col. Byrd in a final attempt to relieve Fort Loudon. This force must have been commanded by Andrew Lewis.

Octo'r 16th.

Gov'r produced a L'r he proposed to send to Col. Byrd in answer to his last w'ch was approved of.

Pet. of Geo. Cornett for an inc. Pat. granted.

Decem'r 11th 1760.

Gov'r com'd a L'r from Col. Byrd, another from L't Col. Stephen.

Also a L'r from Gov'r Dobbs—and a L'r from Gov'r Bull.

Littlebury Robinson's Pet. for Land granted.

Depositions in support of the Complaint ag't ye Inspectors in Westmoreland were read this day—the Complaint was dismiss'd as frivolous.

Also a L'r from Col. Byrd dated Novem'r 22d.

March 5th, '61.

Gov'r com'd a L'r from Col'o Stephen[7] dat. Win'r [Win-

---

[7]Adam Stephen, a native of Scotland, is stated to have been born about 1730, and to have been educated as a physician. He removed to Virginia and settled in what is now Berkeley county. He was a man of great strength and courage and was actively engaged in military service throughout the French and Indian War. His own statement, when applying for land bounty under the Proclammation of 1763, is the best summary of his services. It is to be found among the land bounty vouchers in the Virginia Land Office. After the usual careful consideration of all the evidence the governor and council directed that the land warrant be issued. The certificate is as follows:

"At a Court held for Frederick County the 8th of March, 1780.

"Adam Stephen, Esq., personally appeared in Court and deposed on the Holy Evangelists of Almighty God, that in the year 1754 he was appointed Eldest Captain in the Corps raised and commanded by Colo. Fry: That upon the Death of Colo. Fry he was promoted to the rank of Major or Lieutenant Colonel in the Said Corps and Served therein during the period for which said corps was raised.

That he was appointed paymaster to the Troops raised in Winter 1754 and spring 1755 and acted as such until superseded by the appointment of Mr. Boyd in April. That under the command of General Braddock he acted as Capt. Commandant and eldest officer at that time in the Virginia Service upon the sd. Brddock's expedition. [He was severely wounded at Braddock's defeat.] That when Colo. Wash-

chester] Jan'y 30th desiring his Honor's Orders how he'd 've ye diff't Garrisons disposed of—that he has ye Gen'ls Orders for Leaving 300 men of ye Detach't under his Com'd at ye diff't Posts—that many of ye old Soldiers & Recruits want Blankets desiring to be informed whether they're to be supplied at y'r own or Country's Expense.

Also a L'r from Gov'r Dobbs dat. Jan'y 29th informing that it will be impracticable to give his Honor any assistance from ye Province in ye p'rsent Situation of affairs.

Also two L'rs from Gov'r Bull dated Jan'y 21st signifying w't was determ'd in regard to ye Motion of ye Troops ag't the Enemy, the No. of Forces, that they propose that they sh'd reach Fort Prince George on ye 1st of May—that he sends the Express to acq't him with the time that their Army will reach Kiowee—that if possible he may contrive the Motions of the Army from this Province so as to reach Chote

---

ington resumed the command of the Virginia Regiment he was appointed Lieutenant Colonel thereof, and served in that capacity under the sd. Washington and afterwards under Colo. Byrd until the Regiment was reduced in the Spring, 1762. That he commanded the Virginia Regiment raised in the year 1762, and that he has claimed in lands under the king of great Britain's Proclamation of October, 1763, except five thousand acres, which is ordered to be certified.

A Copy Test

JA. KEITH, cl. Cur."

Col. Stephen was an ardent advocate of American rights, and though he had acted as second in command to the Governor in Dunmore's war, became one of his most active opponents. He was member of the Va. Conventions of March, and July, 1775. He was commissioned colonel 4th Va. regiment February 1, 1776; brigadier general in the Continental army September 4, 1770, and major general February 19, 1777. He served with distinction at Princeton, Trenton, and Brandywine. Though a skillful and gallant officer his military career was ruined by habits of intoxication. His blunders at Germantown, due to this cause, were so great that he was cashiered on November 20, 1777. He then retired to his home in Virginia. He was several times in the State Legislature, and was a member of the Convention of 1788. He died in Martinsburg, November, 1791. General Stephen had an only child Ann, who married, first, Captain Alexander Spotswood Dandridge, of the Revolutionary army, and secondly, Moses Hunter.

as near as possible at ye same time. Also advice concern'g a late Behaviour of the Cherokees.

Also a L'r from Col. Byrd[8] dated Phil'a Feb. 6, signifying Gen'l Amherst has been pleas'd to insist that he shall serve ye next Campaign provided Col. Grant does not bring ye Cherokees to the hard terms of peace he has proposed—that the Gen'l intends to form a little army to march to the Over Hills Cherokee by the Rout his Honor intended last Summer—w'ch he is to have the honor to comand—that as soon as the Gen'l has determ'd on his Plan & honor'd him with his Instructions he shall make ye best of his way to W'msg.

Also a L'r from Brig'a Gen'l Monckton dat. Phil'a Dec'r 18th, '60, that he has sent Orders for such of the Virginians as can be immed'y spared to march to Winc'r, that the Rem'r will follow as soon as he can get a part of Col. Vaughan's Reg't up to relieve them.

Also a L'r from Gen'l Amherst dat. New York Jan'y 1st, signifying that the services w'ch still remain to be put into Ex'on for compleating the great Object of the War in America will require the further Aid & Assistance of his Maj's American Subjects—desiring he'd be prepared for a Compliance with [Blank.]

March 26th, '61.

A Pet. of Justices of Amelia pray'g that ye County Court may be adjourn'd & held for ye future on the Land of Peter Beasley, was read & ye Consideration thereof postponed to the day after ye Court of Oyer & Terminer in June.

Or'd that the Cl'k acq't the Cl'k of Amelia thereof, requiring him to notify the same to all Persons interested therein, by affixing an Advertiz't at ye C't House Door.

the K's Requisition for such a No. of men from his Col'y as shall be thought requisite by his Maj'y to answer the proposed End of promoting a good & lasting Peace.

---

[8]This letter would indicate that General Amherst did not consider that Byrd had shown incompetence in his futile campaign against the Cherokees in 1760.

Also a L'r from his Exc'y dat. New York Oc'r 28th [?] signifying he has been occupied in assembling & embarking for So. Carol'a a Body of Troops intended and (in Conjunction w'th the Provincial Forces w'ch L't Gov'r Bull inform'd him were to be furnish'd by the two Carolinas & Virg'a) he trusts ev'ry way capable to chastize the Cherokee Indians—& acq'g w't Troops that Body consists of.

Also a L'r from Cap't Bullitt in consequence of Mr. Fleming's to him respecting the Cherokees &c. Also Indian Talks.

The Gov'r read his answers to the above L'rs w'ch were approved of.

Peter Randolph* Esq'r took the Oaths &c.

Gov'r com'd also two L'rs more from Gen'l Amherst, dat. New York Jan'y 19th & 21, signifying his Honor's application in behalf of the Inhabitants of the Colony for Debts due to them from ye Crown has all the weight with him that it possibly can have, & that he shall write to S'r John St. Clair to know his reasons for deferring the settlement of y'r accompts, & w'n he receives his answer, he'll transmitt the same to his Honor. That of ye 21st signifying he is firmly persuaded if Virg'a continues ye old Reg't of a thous'd men, by acting agreeably to the Plan laid down of attacking the upper Cherokee Towns, whilst L't Col. Grant with the Body of Regulars, & the provincial Troops of So. Carolina, attack the lower ones, he is firmly persuaded that the Indians must soon be reduc'd to the greatest Extremities & be incapacitated from renewing Hostilities.

And that it is not in his power from the present disposition of his Maj's forces to send any more powerful Succour than w't he has already assisted them with.

All w'ch he intreats his Honor to lay before ye Ass'y & back with all his influence.

---

*Peter Randolph, of "Chatsworth," Henrico county. He, however, had been a member of the council as early as 1750. See this Magazine, XIII, 228.

Novem'r 3d.

Acc't of Contingent charges from 25th of Ap'l 61. to 25th of Octo'r pass'd.

Leave given to Col. McKenzie to set free a negro named Talbott Thompson.

Novem'r 6th.

The foll'g Warrants signed by Gov'r—

To the Min'rs att'g one Gen'l Court . . . £10—
For Repairs done to the Gov'rs House . . . . 77—11—11
For Contingent charges . . . . . 252—19—1

Acc't of Revenue of 2s. p. H'h'd &c, from 25th Ap'l 16 to 25th of Octo'r pass'd.

Novem'r 27th 61.

Board took into Consideration the L'r from L'ds of Trade & the Engagemen'ts entered into with the Indians.

Advice that Gov'r w'd send home a Copy of the Substance of the minutes of Treaties com'd by Gov'r Hamilton, also a Copy of the Indians of the six Nations their Release of Virg'a to the King at the Treaty of Lancaster 1744—p. 240.

Also the Consent of the Ohio Indians to the above mentioned Deed in '52, p. 288.

In consequence of w'ch Grants have been made, & the Setlers unmolested before they were disturb'd by the French.

Novem'r 9th.

Gov'r com'd a L'r from L't Col. Stephen dated Camp at Great Island Octo'r 23d, signifying he had rec'd L'rs from the principal men of the Cherokees w'ch he inclosed, viz from Occonostata, & Judd's Friend, who are men of the greatest influence in the nation, Conocstocko was made Emperor by their Interest that upwards of a 100 have come in & submitted, numbers more are on the way, to beg their protection—their King marches w'th so grand a Suite that they are obliged to hunt for subsistence, & as this detains them he thought proper to dispatch a Couple of Runners Express w'th

the Letters—that the Carpenter & Head men had not returned from Charles Town w'n these people left the nation.

From Choto Octo'r 17th 61. Occonostata, or the Great Warrior's answer—signifying he sends the Head man of the nation Conocotocko, the standing Turk'y, to make all straight, & that no more mischief shall be done by any of his people.

Jud. Friend's L'r now we send our King & Gov'r that he & the Great Warrior stay at home till he returns, & w't he does they'll all stand to for ever—that the Chain will certainly be bright now their King is come on purpose to brighten it—that as soon as he returns, the G't Warrior & he will come & see them.

Advises that the King may be dispatched as soon as possible—that when he returns he himself will come & see ye Gov'r—these L's directed to ye com'g Off'r of the northern Army.

Address of Officers of Virg'a Reg't to Gov'r & C'l requesting them to take into their protection a memorial presented by them to the last Ass'y.

Saturday Jan'y 16th 1762.

Gov'r com'd a L'r from L't Col. Stephen dated Fort Chiswell Decem. 22d signifying L't Woodford[9] comes to conduct some Cherokee Indians to W'ms'g, that Scalelosky comes specially deputed by the King & Gov'r of the Cherokee Nation to confirm the Peace & give a proof of the Sincerity of the Nation, that he has desir'd Mr. Woodford to send for Abram Smith to interpret w't they have to say to his Honor, as Maclemore, whom he was obliged to employ for want of another, was not to be depended on, w'n not under military discipline, & that he propos'd to give 'em an audience w'n Smith came.

Also a Copy of a Procl'n published by Henry Bouquet Esq'r Col. of Fort & Com'y at Fort Pitt & Dependances, prohibiting any of his Maj's Subjects to settle & hunt to the West of

---

[9]Probably William Woodford, of Caroline county, afterwards brigadier general in the Revolution.

the Allegany Mountains on any Pretence w't ever without leave in writing from the Gen'l or the Gov'rs of the respective Provinces & producing the same to the com'g Off'rs at Fort Pitt.

Advice of the Council that his Honor w'd write to Gen'l Amherst upon the Subject, & represent the same to the L'ds of Trade. Also to signify to Col. Bouquet that the s'd Procl'n has given great uneasiness here, & to desire he'll inform his Honor the End propos'd by him by publishing it.

Jan'y 21st 62.

Order to be inserted in the Gazette prohibiting the Surveyors from admitting any Entries to be made with them for any Lands to the West of the Alleghany Mountains till further order shall be made thereon.

The Gov'r this day gave an Audience to Scalclosky & three more Cherokees accompanying him sent by the Standing Turky to confirm the Peace &c. the Gov'r told him that by the L'r from the King informing him of the Peace he now look'd on them as Brothers, believed they were satisfied the English were the best qualified to supply them with Trade, & enabled to resent any Insults, hoped they repented having com'd the past outrages, and that we sh'd live hereafter as Brothers ought to do, that a Trade w'd be carried on for a mutual advantage, that an authentic Information had not been yet rec'd from Gov'r Bull, and that they must be satisfied for the present with a few Presents as a Token of Amity, and that he rec'd them as Brothers & friends & that they sh'd be conducted back with safety—accepts the Wampum as Evidence of Peace, w'ch came from Willenowa & the standing Turky & that they sh'd be kept as such—that he has no Wampum now, but w'd send some &c.

He answer'd he was a young man, not used to talk, he only came to deliver the K's speech, they were all glad, to find the white men & they were in one mind, & that the path w'ch is now straight, w'd be kept so for ever—that they had nothing to desire now, but a Trade, w'ch they have abundance

of skins they sh'd be glad to exchange for Goods. Gov'r told them he sh'd use all possible Dispatch to accommodate them for ye Return, that he has given Orders for their being supplied with all necessaries—they express'd great satisfaction in the Entertainmen't they had found, were thankful for it—they were desirous of going back as soon as they c'd—the Gov'r told them he sh'd detain 'em no longer in town, than till the things c'd be got w'ch he proposed to make them a present of.

They desir'd something in writing from his Honor to carry to the Standing Turky w'ch the Gov'r promis'd them.

March 30th 62.

Gov'r com'd a L'r from L't Egremont dated the 12th of Decem'r signify'g the K's pleasure that the regular Regiments serving in No. America be recruited to their full complement of Effectives, & that his Honor exert his utmost Influence to induce this Colony to carry into Ex'on that important Object by complying w'th any Requisition w'ch Sir Jeff'y Amherst shall make of Recruits from hence.

Also a L'r from Sr. Jef. Amherst dated New York feb'y 21st signifying the No. of men he expects from this Col'y for ye Service, & laying before his Honor the method propos'd for raising them.

Also a L'r from Gov'r Boone dated Charles Town So. Carolina feb'y 16th observing on the State of Matters between that Col'y & the Cherokees, & inclosing a Copy of the ratified Treaty,[10] ex'd on the 18th of Decem'r—that he has recom'd to the Ass'y then sitting the framing of an Indian Trade Ac't, w'ch w'n pass'd he shall send a Copy of.

March 31st.

Cap't Wm. Mainwaring Com'r of his Maj's Ship the Arundel this day com'd to the Gov'r in Council his Instructions

[10]The campaign of regulars and South Carolina colonial troops under Grant and Middleton in the spring of 1761, so completely broke the spirits of the Cherokees that they sued for peace.

from the Com'rs for executing the Office of L't High Admiral of G't Britain & Ireland &c w'ch they thought sh'd be employ'd for the Security & protection of this Province & the Ships & Vessels of his Maj's subjects trading to and from the same.

Cap't Mainwaring hav'g represented that sev'ral of his hands had been decoy'd away &c. Or'd that a Procl' issue offering a reward of £20 &c.

Ap'l 3d.

Gov'r com'd the Treaty with the Cherokees—w'ch was or'd to be register'd.

Also a Copy of a L'r w'ch he thought proper to write to the Gent. of the Council who were absent to attend the 6th of this month.

The Gov'r produced a new Com. to S'r Jeffrey Amherst app'g him Gov'r in chief of Virg'a dated the 4th of Ap'l 61, in the 1st year of his Maj's Reign.

Also a Com. app'g him Vice Admiral dated the 18th of May.

Novem'r 22d, '62.

Gov'r com'd a L'r from Mr. Charles Stewart[11] proposing

---

[11]In November, 1762, Don Pedro Bermudez second in command of the sea service at Havanna, was shipwrecked and was brought to Norfolk with his family and others. Popular prejudice became in some way excited against them, and a riot ensued in which several Spaniards were killed and wounded. Charles Steuart, or Stewart, then a prominent merchant of Norfolk, protected Don Pedro Bermudez and his family, and received the commendations of the English government for so doing. It appears from the Calendar of the *Dartmouth Manuscripts* (Vol. II, p. 70) that an account of this riot is preserved in that collection. Charles Steuart was born in Orkney in 1725, came to Virginia in 1741, and was long a merchant in Norfolk. Later he was successively Surveyor General and Receiver General of the Customs in North America. He returned to England in 1769. He was a kind master. A negro, named Somerset, whom he took with him to England, became so vicious, indolent and insulting, that Mr. Steuart determined to send him to the West Indies. The negro however, was

to victual the Spaniards & furnish them with firewood, & other necessaries at the rate 9'd a man p. day, also signifying that Cap't Longbottom thinks it will be necessary for his justification that a Survey sh'd be made of the Provisions put on board the Transport for the Passage of the Spaniards to Cadiz.

The Council approved of Mr. Stewart's Proposals, & recom'd to Gov'r to issue his Warrant to such Persons he sh'd judge proper to inspect the Provisions.

A L'r from G'l Amherst dated New York 6th of Nov'r recom'g continuance of Virg'a Reg't, & taking notice of some difficulties in passing Dr. Walkers Acc'ts.

New Com'ons of the peace or'd for King George, Princess Ann & Fairfax.

Decem'r 7th.

Gov'r com'd a L'r from Mr. Charles Stewart dated Portsmouth Decem'r 2d respecting the Spaniards & the riot lately com'r &c.

On w'ch it was the advice of the Council that a Procl'issue promising a Pardon to those who will discover ye Accomplices, but not to extend to Principles concern'd in murdering or wounding the Spaniards.

Alsa Mr. Wm. Bradley's Acc't for the Sloop Sally impress'd in the Colony's Service, w'ch was refer'd to Mr. Anditoi to examine.

Also a L'r from Col. Adam Stephen dated Fredericksburg X'r 4th, signifying the Regiment will be p'd off & disbanded in a very few days. That there are some men in the Hospital

---

removed from the ship in the Thames by habeas corpus, and when the case came before Lord Mansfield in the King's Bench, the famous decision was rendered, which practically declared that there could be no slaves in England. Many of Mr. Steuart's papers have been preserved, and a selection from them, including many letters written to him from Norfolk and vicinity at the outbreak of the Revolution, was printed in the *Magazine of History* (N. Y.) March and April, 1906.

w'ch must be taken care of till they recover a little, or his Honor's Orders are rec'd ab't 'em—that he shall send an Officer to Cumberland with the men's pay & sh'd be glad to receive his last Orders ab't the paym't of those men that remain at Redstone—& desires his Honor will be pleas'd to prevent his applying to Assembly about the balance of Mr. Fraser's Rations—that the Country must have p'd a shilling till a Commissary was app'd. Advice of the Council that the s'd L't be sent to H. B.

Decem'r 9th.

The Auditor acq'd the Board that he had exam'd Mr. Bradley's Acc'ts & found them just, whereon the C'l advis'd his Honor to give him his Warrant on the Rec'r G'l for paym't of the same, ye Ball'ce amount'g to £116.12.7.

The Board took into Consideration Mr. Israel Christian's Demand for his Services respecting the Indians, w'ch was found just, & the Gov'r advised to give him his Warrant on the Rec'r G'l for ye same 182£ 15, 6, disall'd by H. B.

Gov'r advised to issue his Warrant on Rec'd in favor of Cap't Pearis for 65£.

Wm. Johnston Pet. granted May 7th '62, renew'd.

Decem'r 11th.

Gov'r advis'd to grant his Warrant on Rec'r G'l for paying £10 given as a Reward by Sam'l Jones for causing to be apprehended a man who broke into his House, barbarously wounded & rob'd him and who was tried & convicted in the G'l Court, nam'd McCarty.

Decem'r 13th.

The Acc't of his Maj's Revenue of Q't Rents due from the Exors of Phil. Grymes Esq'r late Rec'r G'l w'th an Acc't of Arrears rec'd since his last Acc't pass'd.

Decem'r 17th.

Gov'r com'd a L'r from Mr. Ch's Stuart dated Portsmouth

X'r 12th—w'th a Certificate of the survey of the Provisions complained of belonging to his Maj's hired transport or Cartel Ship Amitys Addition Wm. Longbottom Master taken by Thomas Taylor Paul Loyall, Max'n Calvert.

Addition of 50£ St. p. an ag'd to be given to C'l of Cou.

Decem'r 21.

£20 or'd for apprehend'g a Deserter from ye Arundel.

Or'd that a Proc. issue for revoking the Proc. offering a Reward in regard to Deserters from the Arundels after she goes on a Cruize.

Advice of Council that Gov'r will give a peremptory Order to Col. Hunter Agent Victualer to supply the Transport that brought in ye Spaniards w'th Provisions necessary for her voyage.

Decem'r 23d.

Gov'r acq'd the Board that he had signified to Col. Hunter he insisted upon his supplying the Spanish Transport w'th Provisions, upon w'ch Col. Hunter desir'd time to look over his Contract, and that he w'd return his answer immed'y after, & if he c'd not comply with the Requisition, give his reasons in writing. Upon w'ch the Council advis'd that if Mr. Hunter persisted in his refusal, his Honor w'd give orders to such persons whom he sh'd judge proper to furnish the s'd provisions, & take Cap't Longbottoms Bills, & if he sh'd decline giving his Bills, that his Honor w'd draw on the Com'rs of the victualling Office for ye same.

May 19th '63.

Or'd That a new Com'on of the peace issue for Halifax, & that the five Gentlemen recomended be added.

May 21st

Or'd That a new Com'on of the Peace issue for Frederick, that John Neavill & John Bowman be added, & two more of the Justices be put in the Quorum.

May 25th, '63.

Gov'r com'd three L'rs from the Earl of Egremont—not L'rs from L'ds for Trade—& a L'r from Sir Jeff. Amherst.

The foll'g Acc'ts produced & allow'd.

To Chris'r Gist £228-2-6

Pet. of the Loyal Company read—& postpon'd.

Pet. for Dismal Swamp in Norfolk read, & Postpon'd.

Definite Treaty of Peace & friendship between his Britannick Maj'e the most Xian King & the K. of Spain concluded at Paris, the 10th of feb'y, '63.

May 30th, 1763.

The Gov'r was pleas'd to communicate to the Council his Answer to the Burgesses Address presented on Saturday & also his proroguing Speech which were approved of.

The Rec'r G'l was requested to write for the foll'g Books[12] viz.

Haynes's State Papers—Hume's His'y of Eng'd—Robertson's History of Scotland—Guthrie's New British Peerage—Anchitel Grey's Parl. Proceedings—Continuation of Acts of Parl't.

Jan'y 12th, 1764.

Gov'r com'd 4 l'rs from L'ds of Trade w'th a Procl. in regard to settling Lands &c.

Also a l'r from G'l Gage enforcing S'r Jeff. Amherst's Re-5th signifying he had accord'g to orders reduced the Militia[13] draughted under his Com'd to 300—& proposing Gist to settle the Acc'ts.

---

[12]The Council of State had quite a good library, which seems, from various advertisements in the *Gazette* asking that books be returned, to have been quite generally used. A number of the Council Chamber books with the book plates are now in the Virginia Library.

[13]This draught of militia and Amherst's requisition were caused by Pontiac's War.

Also a l'r from G'l Gage enforcing L'r Jeff. Amherst's Requisition of 500 from Virg'a dat. New York X'r 12th.

Jan'y 14th, '64.

Geo. Walker's Pet. for fishery near Fort George, read & rejected.

Jan'y 16.

Or'd That a new Com. issue for Cumberland, that Creed Haskins, Wm. Smith, R'd James, Thomas Turpin jun'r, John Woodson & John Baine, be added, & that Charles Anderson, Edw'd Tabb, Henry Macon, Maurice Langhorne, John Scott, Rhoderick Easeley, & Arthur Moseley, who have refused to qualify, be left out.

Do. for Amherst, that Zachariah Taliaferro be added, & John Reid, who is dead, & John Howard, who is removed, be left out.

Jan'y 19th.

New Com. or'd for P'r Wm. &c.

On a motion made by Rec'r G'l or'd that Naval Officers for the future pay to him such Bills as they shall receive, & not impose on him y'r own private Bills, & that C'lk signify the same to them.

Jan'y 21st.

New Com. or'd for Glouc'r—D'o. for Fauquier.

Octo'r 30th, '64.

Absent P. Thornton.*

---

*Presley Thornton (born 1721, died December 8, 1769,) was son of Anthony Thornton, of Stafford county, and his wife, Winifred, daughter and heiress of Col. Peter Presley, of "Northumberland House" Northumberland county. She was the last of a family which, from the first settlements on the Potomac, had been people of prominence and wealth, and who had represented their county in the House of Burgesses almost uninterruptedly for a hundred years. Presley

Gov. com'd a L'r from Col'o Bouquet & another from Col. Lewis.

Nov'r 1st.

P'r as before.

Acc't of Contingent charges from 25th April 64—to 25th of Octo'r 64—& for work done at Gov'rs house—pass'd.

Nov'r 6.

Warrants sign'd.

Min'rs att'g one G'l Court . . .	£10.		
Repairs to G'rs house	274.	3.	5
Cont. Charges	322.	2.	6

Acc't of Rev. of 2's p h'd from 25 Ap'l, 64 to 25th of Oct'r 64—pass'd.

Sec'y represented the insuperable difficulties att'g the attempting to comply w'th the requisitions of the L'ds of Trade in respect to an Abstract dem'd of all Grants of Land, the principal C'lk in the office pointed the sev'ral embarassments, & the inperfect satisfaction, was such a work to be ex'd, it w'd afford. Whereupon it was the opinion of the C'l that the Sec'y w'd draw up his observations, w'th a specimen of the manner he proposed to make out such Abstract, if it sh'd be insisted upon. They further advis'd that a Copy of the Rent Roll be prepar'd by Dep'y Aud'r to be sent to ye L'd'ps.

The Complaint ag't Col. Stephen for obstructing his Maj's Service in respect to the Expedition carried on by Col. Bouquet Ag't the Shawnees & Delawares, was this day inquir'd into. As in the course of the trial Col. Stephen was accus'd of some other things. Opinion of the Board that the Cause be postpon'd till Ap'l—that Mr. Rutherford deliver in writing to Col. Stephen ev'ry particular he has to charge him with before Sunday next—and that proper notice be given

---

Thornton inherited his matenal grandfather's estate, was a Burgess, and was appointed to the Council in 1760. See *William and Mary Quarterly*, IV, 162-164.

to take Depositions in presence of both. The 3d Monday in March next app'd to take Depositions at Winc'r. Mr. Martin, Nevil, & Harrison, ag'd to be the Justices.

To be heard the last day of Ap'l Court.

Nov'r 22d.

An Acc't of Col. Andrew Lewis ag't the Country for his service in passing & receiving such Recruits as were brought to him by the recruiting Off'rs for ye Reg't at Staunton, under the Com'd of Col. Stephen from the 12th of Ap'l 62, till the 1st of Aug'st being 110 days at 17's 6'd p day, being produced & considered, he was allow'd to keep 50 w'ch he has in his hands due to the Country as a full compensation.

Or'd That a new Com. of the Peace issue for Prince George, & that Sir Peyton Skipwith, Bar't——Peter Eppes, Theoderick Bland, Nat'l Harrison jun'r, John Poythress jun'r, and James Murray, be added.

Or'd That Rec'r G'l pay Thomas Crayghead £15. 5's being the ball'ce due on his Acc't for work done at the Gov'rs house in 54.

Decm'r 10th.

Gov'r com'd a L'r from Col. Bouquet[14] dated Camp at the

---

[14]Henry Bouquet, a native of Switzerland, after service in the armies of Holland and Sardinia, entered that of England in 1756 as lieutenant colonel, was promoted to the rank of colonel in 1762, and brigadier general in 1765. He saw much active service in the French and Indian War. In 1763 when the new rising of the Indians was instigated by Pontiac, he was in command at Philadelphia, and marched to the relief of Fort Pitt. On August 5th he defeated the Indians in a long and stubborn contest at Bushy Run. Four days later he reached Fort Pitt. Bouquet's force consisted of Highlanders and Pennsylvania militia, but as many of the latter deserted he wrote to Andrew Lewis in Virginia for reinforcements for a campaign he was planning for 1764. Two companies of one hudnred men each were raised, commanded by Charles Lewis and Alexander McClenahan, of Augusta county. They found Bouquet at Fort Pitt, and early in October, 1764, the march to the westward was begun with a force of 1,500 men. Parkman says that the woodmen of Virginia, veteran hunters and

Forks of Muskingham near Wakatawmike, the most considerable Shawanese Town, Nov'r 15th signify'g that the Mingoes, Delawares, & Shawanese, have submitted to the terms prescrib'd to them, without being allow'd to stipulate any condition on their behalf, have del'd all the Prisoners y't c'd be collect'd & given 14 hostages for deliv'ry of the rest, and as a Security that they shall comit no hostilities, or violence ag't the persons or property of his Maj's Subjects, that on those conditions they are permitted to send Deputies to make their Peace w'th S'r Wm. Johnson—inclosing a Copy of his proceedings with those nations; recom'g to the Gov'rs notice, & that of the Gov't the two Corps of Voluntiers who join'd him from hence, whose conduct has giv'n him the highest satisfaction, by exert'g themselves w'th the most commendable Spirit; inclosing ye muster Rolls properly certified.

Decem'r 19th.

Or'do That a new Com'on issue for Louisa, that R't Armistead, Thomas Johnson jun'r, James Meriweather, R'd Anderson, Waddy Thomson, Cleavers Duke, Wm. Philips, be added—that Tho's Johnson sen'r be placed accord'g to his Rank in Caroline—Cleavers Duke to be first of these.

Petition for removing Court House at Amelia, was rejected.

Or'd That a new Com. issue for Halifax, and that Walter Colé, and Armistead Watlington be added. Also for Albemarle, R't Lewis, Ch's Macrae, & David Rodes to be added—Edw'd Carter to be placed last of the Quorum if not in.

A Petition of the Inhabitants of Louisa, setting forth that the Situation of the Court House is render'd very inconvenient, it being far from the Center, and that it is old & decayed, and necessary to build a new one, with other public

---

Indian fighters, were thrown far out in front and on either flank scouring the forest to detect any sign of a lurking ambuscade. With the army went many persons whose relations or friends had been captured by the Indians.

On November 29th Bouquet concluded a peace with the Shawnees and Delawares, one of the stipulations being that all white persons taken by the Indians should be given up.

conveniences, and praying a Writ to issue for adjourning the Court of the s'd County to the House of John Jouett's till a sufficient C't House can be erected in such part as the Board shall judge most proper. Rejected on hearing Parties on both sides.

Or'd That three more of the Justices be added to the Quorum in Amelia Com'on.

Or'd That a new Com. issue for Goochland, that Thomas Randolph of Dungenness, R'd Fleming, Matthew Woodson & Joseph Woodson Gent. be added.

Or'd That a Writ of Adjournment issue to remove the Court of Hampshire from Fort Pleasant to Pearsall's Levell.

Decem'r 21st.

Or'd That a new Com. issue for Caroline &c.

Or'd That a writ of Adjournment issue to remove the Court of Lunen'g to Rob't Estes, Sen'r.

Petition of John Wayles for 1000 Acr granted.

Or'd That a Proc. issue concern'g Paper Bills.

Or'd That a Proc. issue ag't any act of Host'y being com'd ag't Indians on Ohio.

May 13th '65.

Gov'r com'd a l'r from Col. Andrew Lewis dated May 9th giving a relation of some Cherokees being murder'd by our people &c.

Or'd That a Proc'l issue offering a reward of £100 for apprehending the Promoters of the s'd murder, & 50l. for ev'ry one aiding therein.

Nov'r 6th, 1766.

A Negro Slave Joe set free—New Com. of Peace or'd for Amelia—D'o for Chesterfield and that Archibald Cary Gent be put at the Head. D'o for Stafford. D'o for Sussex. D'o Eliz. City, and that Mr. Cary Mitchel be left out at his own request. D'o for Loudoun. D'o for Mid'x, P'r George—and

that John Laforey be added & placed last. D'o for K. Wm. D'o for Amherst. D'o Albemarle. D'o for Prince Edward. D'o for Charlotte.

Dec'r 8th, 66.

Gov'r com'd a L'r from Gov'r Penn dat. g'r 15th '66; requesting his Honor to join w'th him in such measures as shall be thought proper to compel all Persons who have made Settlements on the lands near Red Stone Creek & the Monongahela to evacuate the same forthwith. It was the Opinion that Gov'r had done ev'ry thing already in his power for y't purpose by having publish'd repeated Proclamations to y't end.

March 25, 67.

Gov'r com'd L'r from L'd Shelburne dat. X'r 11th 66, &c.

Also a L'r from Col. Andrew Lewis dat. March 5th &c.

Or'd That a new Com. of ye peace issue for York—Charles City & Buckingham.

Pet. of Cap't Tho's Bullett, as Cap't in ye late Virg'a Reg't read & postpon'd for a fuller description of the location of ye s'd Land—& y't Cl'k write to him thereon.

Ap'l 3d.

New Com. or'd for Bedford. D'o Elizabeth City and York. & y't James Pride be left out.

[Undated, Odd Page of Land Grants.]

22. William Stone, to add 800, to 400 & 370, he bo't of Hezekiah Powell, in Amelia & to have inclusive patent for the whole. Beg'g at Amelia County Line, on Notto' Riv'r thence along S'd Line to the Birchen Swamp, thence up S'd Swamp to Jno. Day's up'r Corner, thence along S'd Day's Line to a Corner on the Branch of S'd Birchen Sw'p thence

to the Line of Robt. Poythres, thence along S'd Poythr. Line to Nott'o Riv'r, thence down S'd River to the Begining.

23. William Tisdale 800, in Amelia on both Sides Winticomarik Creek Begining at Parishes upper Line.

24. Obediah Woodson 1200, in Goochl'd in the fork of Dry Creek, joining on the Lines of Col. Rich'd Randolph.

25. Samuel Wallis 1500, in Amelia Beg. at Mo. of Falling C'r run'g up both Sides.

26. Wm. Thompson to add 400, in Pri. Geo. to 1000, Acr's in his Ord'r of 11, Jun. 1740, in one pat.

27. James Pitillo all the Vac't Land joining round his own Plant'n on No. Side Moccosoneck Cr. & on both Sides Wh. Oak Sw'p in Pri. Geo. the whole not to exceed 1200, Acr's incl'g an Entry of 400, already made thereon & ye Rights in the hand of the Surveyor.

28. Thos. Avent 2000, in Surry, Beg'g at the Mouth of Corks Br. & run'g so as to take in the Waste Land on both Sides the gr't Swamp & betw. the Lines of Gilbert Hays, Lewis Solomon jun'r Jno. Roberts & the Pet'rs own Lines & to have Incl. pat. for the same & for 1675 Acr's alr'y gr'ta him, w'ch at the time of the Gr't lay in Surry and now chiefly there, but some part in Brunswick. And that the Suvey'r of Surry ret. a Surv'y of ye Whole.

29. John Ellis 1200, in Amelia on bo. Sid's Flatt C'r beg. at Motley's upper Line.

30. Darby Quinns hav'g in behalf of his Son Rich'd Quinn obt'd a Pat't Sep't 28th, 1728, for 800 Acr's in Orange on No. Side Rappidan, W'ch on a Resurvey is found but 420 accord'g to the Lines mark't on the Land, w'ch do not agree w'th the Pat't that he had all along p'd Q't rents for 800, & prayed that as the adjacent land was not yet grant'd to any body (but only that Wm. Phillips had an Entry there) he might survey as much as will compleat his 800, & take out a New Pat. for the whole accord'g to the true Bounds. And having now produced a Writing under the hand of Said Wm. Phil-

lips importing that as he finds Mr. Quin has not his complim't notwithstand'g he the S'd Phillips had a Survey adj. he will not appear against him; Whereupon the S'd Quin's pet'n is grant'd.

31. William Gay has leave to take an Incl. pat. for 125 Acr's, grant'd him by Pat't Dec'r 23, 1714, and 350 Acr's adj'g adjudg'd on his pet'n to be lapsed from Jno. Bolling the 22d Oct'o, 1740.

32. John Clark 3000 in Brun. beg. at the 3 forks of Cubb Creek above Butterwood Swamp so run'g tow'ds the head the Bellows & Vaughans Creek.

33. John Coles 5000, in Brun. So. Side Stanton Riv'r beg. on his own low'r line & run'g up & down the River & back into the Woods for complin't.

34. Thos. Bassett 3000, in Goochl'd betw. Appam'x & G'r Guine C'r adj. his own line &c as in Entry.

35. David Walker & Jno. Bolling 15000 Acr's in Pri. Geo. No. S. Sap'y Cr. beg. on Low'r Se Meal C'r.

36. Chas. Hudson & Robt. Wathen 6000 in Brun. on br. fall'g R'r beg. on So. S. Pilote M'n &c.

37. Thos. Oakly all the Wast land betw. Gillies Cr. & Boar Swp. ab't 1600 acr's & on both Sides said Creek beg. on Alex'r Robinson—then on Jno. Robinson & to pleasant Cooks line so to Boar Swp.

38. Thos. Stanton, Robt. Lovell & Jno. Watts, have leave to survey 6000 acres in Orange Beg. on Stanton Riv'r below part of the Yew Trees, thence a S. W't Course to the Bra's of Shenando, thence tow'ds the head of the Hawks Bill, thence tow'ds the head of Robertson River, thence to the beg'g w'ch is granted on condition the Land is not within the controverted Bounds.

(CONCLUDED)